



CRL OP(MD). No.21231 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 24/11/2023

PRESENT

The Hon`ble Mr.Justice V.SIVAGNANAM

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Murugan @ Periyavan,

... Petitioner/ Accused 4

Vs

The Inspector of Police,
Thiruvudaimaruthoor Police Station,
Thanjavur District.
(In Crime No.708/2023).

... Respondent/Complainant

For Petitioner : Mr.B.JAMEELARASU,
Advocate.

For Respondent : Mr.RMS.SETHURAMAN,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :- For Bail in Crime no.708/2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/A4, who was arrested and remanded to judicial custody on 08.11.2023 for the alleged offences punishable under Sections 25(1-A), 25(1-B)(a) of Arms Act in Crime No.708 of 2023, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner was found in illegal possession of to threaten the public for the purpose of demaning money. Hence the



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case.

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3.The learned counsel appearing for the petitioner would contend that the petitioner is Panchayat Board President and he has not committed any offence as alleged by the prosecution. He would further submit that the petitioner has been implicated as an accused based on the confession given by the co-accused. He would further submit that the petitioner is in custody from 08.11.2023, hence he seeks bail.

4.The learned Additional Public Prosecutor objected to grant bail to the petitioner stating that the petitioner is having 38 previous case and he is history sheeted rowdy element. He would further submit that 13 bullets and two unlicensed guns were recovered from the house of this petitioner.

5.Considering the facts and circumstances and also considering the period of incarceration and also the fact that no one sustained injuries in the said occurrence and also taking into consideration of the principle stated by the Honourable Supreme Court in Sanjay Chandra and others vs. CBI reported in (2012)1 SCC 40, this Court is inclined to grant bail to the petitioner, subject to the following conditions:

[i] Accordingly, the petitioner is ordered to be released on bail on condition to execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned District Munsif cum Judicial Magistrate, Thiruvidadaimaruthur, Thanjavur District and on further



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conditions that:

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(ii) the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity;

(iii) the petitioner shall appear before the respondent police once in a week on every Monday at 10.30 am., until further orders.

(iv) the petitioner shall not tamper with evidence or witness;

(v) the petitioner shall not abscond during trial.

(vi) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

vii) If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
24/11/2023

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24/11/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



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AAV

TO

1 THE DISTRICT MUNSIF CUM
JUDICIAL MAGISTRATE, THIRUVIDAIMARUTHOOR,
THANJAVUR DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, THANJAVUR DISTRICT AT KUMBAKONAM.

3 THE SUPERINTENDENT, CENTRAL PRISON, TRICHY.

4 THE INSPECTOR OF POLICE,
THIRUVIDAIMARUTHOOR POLICE STATION, THANJAVUR DISTRICT.

5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.B.JAMEEL ARASU, Advocate (SR-16818[I] dated 24/11/2023)

ORDER IN
CRL OP(MD) No.21231 of 2023
Date :24/11/2023

SA/SAR. /24.11.2023/4P/7C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023.